

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of Terry Kern, individually,
and d/b/a Kern Construction

SCHEDULING ORDER

Following the submissions of the parties at a December 19, 2007 Pre-Hearing Conference;

IT IS HEREBY ORDERED:

1. By 4:30 p.m. on **Wednesday, October 1, 2008**, the parties will exchange statements identifying any person whom the party expects to call as an expert witness.
2. By 4:30 p.m. on **Wednesday, October 1, 2008**, the parties will exchange statements from any designated expert witnesses, including a summary of the facts and opinions as to which the expert is expected to testify.
3. The period for discovery shall close on **Wednesday, October 15, 2008**.
4. By 4:30 p.m. on **Wednesday, October 15, 2008**, the parties will file and serve any dispositive motions.
5. By 4:30 p.m. on **Wednesday, October 22, 2008**, each party will file and serve copies of the pre-labeled exhibits that it proposes to offer into the hearing record. The Department shall label its exhibits sequentially using letters. Respondent, Mr. Kern shall label his exhibits sequentially using numbers.
6. Unless this designation has been made by a party earlier, through responses to discovery, by 4:30 p.m. on **Wednesday, October 22, 2008**, each party will file and serve a list of the witnesses that it intends to call at the evidentiary hearing.
7. By 4:30 p.m. on **Friday, October 24, 2008**, the parties will file and serve a statement (under Minnesota Rule 1400.6950 (2)) detailing any objection to the foundation of a written exhibit.

8. A hearing in this matter will be held at the Saint Paul office of the Office of Administrative Hearings on **Thursday, October 30, 2008**, beginning at 9:30 a.m, and continuing on a successive day through **Friday, October 31, 2008**.

Dated: August 21, 2008

/s/ Eric L. Lipman

ERIC L. LIPMAN
Administrative Law Judge